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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MARYLAND**

**MARY LILLER and DWIGHT LILLER
INDIVIDUALLY AND AS
AS LEGAL GUARDIANS AND
NEXT FRIEND OF:**

**MICHAEL PAUL LILLER
1798 PLEASANT VALLEY ROAD
OAKLAND, MD 21550**

PLAINTIFFS

VS.

**ROBERT DEAN KAUFFMAN
128 WILEY LANE
NEW PARIS, PA, 15554**

And

**JOSEPH RAY KAUFFMAN
6146 LINCOLN HIGHWAY
BEDFORD, PA 15522**

DEFENDANTS

**COMPLAINT
AND DEMAND FOR JURY TRIAL**

COMES NOW, the Plaintiffs, Mary and Dwight Liller individually and as legal guardians and next friend of Michael Paul Liller, by and through their attorney, Arnold F. Phillips, Esquire, and in support of their Complaint, say as follows:

1. That Plaintiffs, Mary Liller and Dwight Liller are legal guardians and next friend of Michael Paul Liller all of whom are individuals within the Jurisdiction of the Federal District Court of Maryland, residing in Oakland, Maryland.
2. That Defendants, Robert Dean Kauffman and Joseph Ray Kauffman are residents of the State of Pennsylvania.
3. That the acts complained of herein are the result of an automobile accident that occurred in the State of Maryland.

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EXHIBIT

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4. That the amount in controversy herein exceeds the jurisdictional requirements for this Court.
5. That on or about the 17th day of April, 2002, Plaintiff Michael Paul Liller was a passenger in an automobile operated by a Mr. Roger Lee Helbig traveling West on Paul Friend Road, near Oakland, Maryland.
6. That at the same time, Defendant, Robert Dean Kauffman was operating a tractor trailer owned by Defendant, Joseph Ray Kauffman, and said driver was exiting from a driveway onto Paul Friend Road.
7. That although Defendant Robert Dean Kauffman was aware of headlights approaching as he was exiting from said driveway, he continued to exit the driveway.
8. That as the vehicle in which Plaintiff was riding crested a hill, Defendants vehicle was across Paul Friend Road impeding the lane of traffic that said vehicle was traveling and also impeding the opposite lane and the shoulder.
9. That contrary to the duties owed to Plaintiff, Defendant was negligent, careless, and reckless in several respects including, failure to yield right-of-way, failure to exercise reasonable and ordinary care to keep a sharp lookout to avoid blocking the right-of-way of Plaintiff.
10. That the vehicle in which Plaintiff was traveling in struck the trailer of Defendant's tractor-trailer and as a direct and proximate result caused several injuries to Plaintiff, including an injury to Plaintiff's brain.
11. That as a direct and proximate result of Defendants negligence, Defendant Robert Dean Kauffman was charged with various traffic charges in the District Court for Garrett County, Maryland.
12. That Defendant Robert Dean Kauffman at all times pertinent herein was operating a tractor trailer owned by Defendant Joseph Ray Kauffman, bearing registration number YDF 3242 of the State of Pennsylvania, further stating that said vehicle is a commercial vehicle and that Defendant Robert Dean Kauffman was acting as an employee of agent of Defendant Joseph Ray Kauffman.

Count one

Plaintiff, Michael Paul Liller, through his guardians and next friend hereby sues Defendant for Negligence further stating:

13. Plaintiffs incorporate paragraphs numbered 1-12 as if fully stated herein.

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14. That as a result of the aforementioned accident, Plaintiff, Michael Paul Liller has incurred medical bills, bills for rehabilitation, loss of income, loss of earning capacity, inability to enjoy the normal functions of life, permanent brain injury, loss of memory, pain and suffering, and loss of capacity to make significant decisions regarding his personal and financial affairs.
15. That as direct and proximate a result of Defendants negligence, Plaintiff, Michael Paul Liller had Plaintiffs, Mary and Dwight Liller appointed as his legal guardians through Civil Case # 7257 in the Circuit Court of Garrett County, Maryland.
16. That Plaintiff attaches and incorporates the Order for Guardianship as "Exhibit 1" as if fully stated herein.
17. That as a result of said Guardianship proceeding, Plaintiff has incurred legal expenses and Court costs.

WHEREFORE, Plaintiff, Michael Paul Liller respectfully requests that this Court enter Judgment in excess of Two Million, Five Hundred Thousand Dollars (\$2,500,000) to which he is found to be entitled, together with pre-judgment interest, costs and attorney fees.

Count Two

Plaintiffs Mary and Dwight Liller individually hereby sues Defendants for Negligence, saying as follows:

18. Plaintiffs incorporate paragraphs numbered 1-18 as if fully stated herein.
19. That Plaintiffs Mary and Dwight Liller are the natural parents of Michael Paul Liller, an adult who is 25 years old.
20. That as a result of the aforementioned accident, Plaintiffs applied for and were granted a Guardianship over Michael Paul Liller.
21. That Plaintiffs incurred legal fees, Court costs and expenses relating to said Guardianship.
22. That Plaintiffs have also incurred transportation expenses, loss of services, and lost income as a result of having to act as guardians for Plaintiff, Michael Paul Liller.
23. That Plaintiffs will incur significant expenses in the future relating to the care of Michael Paul Liller.

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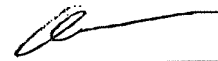
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24. That all of the damages claimed herein, were directly and proximately caused by the negligence of Defendants.

WHEREFORE, Plaintiffs, Mary and Dwight Liller respectfully requests that this Court enter Judgment in excess of Two Hundred and Fifty Thousand Dollars (\$250,000) to which he is found to be entitled, together with pre-judgment interest, costs and attorney fees.

PLAINTIFFS HEREIN DEMAND A TRIAL BY JURY

Respectfully Submitted



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